

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Lionel Lewis Smith,

PETITIONER

v.

United States of America,

RESPONDENT

Crim. No. 4:10-cr-01171-TLW

Order

The Court previously entered an order holding this case in abeyance pending the Fourth Circuit's *en banc* review of the panel decision in *Whiteside v. United States*, 748 F.3d 541 (4th Cir. 2014). ECF No. 124. The Fourth Circuit has now issued its *en banc* opinion in the case. *Whiteside v. United States*, ___ F.3d ___, 2014 WL 7245453 (4th Cir. 2014) (en banc). According, the abeyance order is now lifted. The Government is directed to file its response to Petitioner's § 2255 motion, ECF No. 122, within 30 days of the date of this order.

IT IS SO ORDERED.

s/ Terry L. Wooten

Terry L. Wooten

Chief United States District Judge

January 12, 2015
Columbia, South Carolina